



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF THE DISTRICT COUNCIL 9
PAINTING INDUSTRY INSURANCE AND
ANNUITY FUNDS,

Index No.: 07-CIV-5802 (KMK)

Plaintiffs,

VOLUNTARY NOTICE
OF DISMISSAL

-against-

PROPER CONSTRUCTION INC.,

Defendant.
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Please take notice that pursuant to Federal Rules of Civil Procedure 41(a)(1)(i) the
plaintiffs by the undersigned attorney of record hereby voluntarily dismisses the above
entitled action.

Dated: September 10, 2007
Elmsford, New York

Dana L. Henke, Esq. (DLH3025)
Attorney for Plaintiff
258 Saw Mill River Road
Elmsford, New York 10523
(914) 592-1515

SO ORDERED

Honorable Kenneth M. Karas, U.S.D.J.
9/11/07

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: _____
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